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UNITED PUBLIC WORKERS,  
AFSCME, LOCAL 646, AFL-CIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

JEANNE ENDO,	)	CIVIL NO. CV03-00563 LEK
	)	
Plaintiff,	)	DEFENDANT UNITED PUBLIC
	)	WORKERS' MEMORANDUM IN
vs.	)	OPPOSITION TO PLAINTIFF'S
	)	MOTION IN LIMINE TO ADMIT
UNITED PUBLIC WORKERS,	)	EVIDENCE REGARDING
AFSCME LOCAL 646, AFL-CIO,	)	SETTLEMENT OF PRIOR SEXUAL
	)	HARASSMENT COMPLAINT
Defendant,	)	AGAINST DEFENDANT UNITED
	)	PUBLIC WORKERS, AFSCME
vs.	)	LOCAL 646, AFL-CIO;
	)	CERTIFICATE OF SERVICE
GARY W. RODRIGUES,	)	
	)	
Third-Party Defendant.	)	
	)	
	)	TRIAL DATE: May 13, 2008

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DEFENDANT UNITED PUBLIC WORKERS' MEMORANDUM IN  
OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE TO ADMIT  
EVIDENCE REGARDING SETTLEMENT OF PRIOR SEXUAL  
HARASSMENT COMPLAINT AGAINST DEFENDANT UNITED PUBLIC  
WORKERS, AFSCME LOCAL 646, AFL-CIO

Defendant United Public Workers, AFSCME Local 646, AFL-CIO (“UPW”) requests that the Court deny PLAINTIFF’S MOTION IN LIMINE TO ADMIT EVIDENCE REGARDING SETTLEMENT OF PRIOR SEXUAL HARASSMENT COMPLAINT AGAINST DEFENDANT UNITED PUBLIC WORKERS, AFSCME LOCAL 646, AFL-CIO, filed April 22, 2008, for the reasons briefly discussed below.

The Georgietta (Carroll) Chock claim was significantly different from Plaintiff’s claim. Ms. Chock had a 10 year relationship with Mr. Rodrigues, lived with him eight or nine years, and was “engaged to be married.” (Chock depo transcript, p. 21, lines 11-20). Following the end of their relationship in 1994, Ms. Chock claimed that Mr. Rodrigues still made sexual advances toward her. Given their past consensual relationship, Mr. Rodrigues’ alleged post-relationship conduct toward Ms. Chock and her surrounding circumstances are very dissimilar from Plaintiff’s circumstances. The facts involving Ms. Chock do not support a general hostile or discriminatory attitude by Mr. Rodrigues toward women in the workplace. Ms. Chock’s testimony also supports that she made the sexual harassment allegations

only to force a settlement and division of real property that she co-owned with Mr. Rodrigues. (Chock depo transcript, p. 19)

Also, it is important to note that the alleged incidents involving Ms. Chock were not witnessed by or discussed with Plaintiff.

Under these circumstances, any probative value of the Chock evidence is outweighed by the waste of time of conducting a “trial within a trial” regarding a past settled matter.

DATED: Honolulu, Hawaii, April 29, 2008.

/s/ Charles A. Price

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